

Docket No.: 0102258.00174US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David S. GARVEY et al. Confirmation No.: 7604
Application No.: 10/568,819 Art Unit: 1626
Filed: November 3, 2006 Examiner: S. L. Chung
Title: NITROSATED AND NITROSYLATED CARDIOVASCULAR COMPOUNDS, COMPOSITIONS AND METHODS OF USE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Madam:

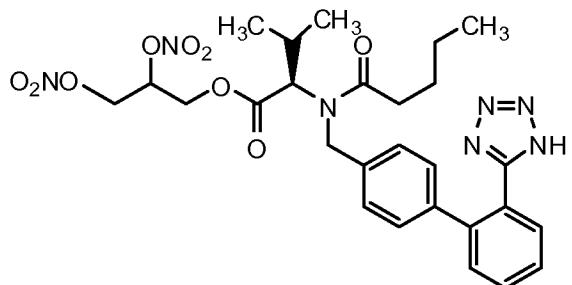
In response to the restriction requirement set forth in the Office Action mailed March 17, 2009, Applicants hereby provisionally elect claims 1-6 and 13-17 for continued examination.

I. **Provisional Response to Restriction Requirement**

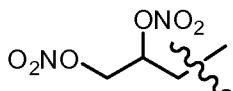
Applicants respectfully elect Examiner's Group I, with traverse, drawn to compounds of Formula (I).

In response to the election of species, Applicants provisionally elect 2,2-bis(nitrooxy)propyl 2-(N-((2'-(1H-tetrazol-5-yl)biphenyl-4-yl)methyl)pentanamido)-3-methylbutanoate, with traverse.

The compound has the following structure:



The compound is disclosed in the specification as the compound of Formula (I) wherein X₃ is variable (1); Y₃ is variable (2); Z₃ is -CH; R₁₀ is a hydrogen atom; D₄ is a hydrogen; U₃ is an oxygen; and D₁ is:



The elected species is also disclosed as the compound of Formula (XIX), wherein T' is an oxygen, R_m-R_n taken together are a hydrogen atom and R_n is variable (17).

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0219, under Order No. 0102258.00174US3 from which the undersigned is authorized to draw.

Respectfully submitted,

Dated: April 15, 2009

/Belinda M. Lew/
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